## IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,	)
Plaintiff,	) ) CASE NO. 8:03CR148
vs.	ĺ
JONATHAN L. HARVEY,	) )
Defendant.	) ORDER

This matter comes on to consider the government's motion for reduction of sentence pursuant to Rule 35(b) and request for hearing, Filing No. 69. Having considered the matter,

The government's request for hearing, Filing No. 69, is granted.

IT IS ORDERED that:

1.

- A hearing on the government's motion for reduction of sentence pursuant to Rule 35(b) has been set before the undersigned United States district judge on November 9, 2005 at 3:00 p.m. in Courtroom No. 2, Roman L. Hruska U.S.
- 3. Counsel for the defendant, if previously appointed pursuant to the Criminal Justice Act, is reappointed to represent the defendant for purposes of the Rule 35(b) motion. If retained, counsel for the defendant remains as counsel for the defendant until the Rule 35(b) motion is resolved or until given leave to withdraw.
- 4. The Defendant has waived his appearance at the hearing.

Courthouse, 111 South 18th Plaza, Omaha, Nebraska.

Dated this 8<sup>th</sup> day of November, 2005.

BY THE COURT:

s/ Laurie Smith Camp
United States District Judge